



DOCKET NO. 110293.134US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

5 Applicant(s): MARKS, ET AL. Examiner: Ronald Laneau
Serial No.: 10/666,560 Art Unit: 3714
Filed: September 22, 2003
Title: METHOD OF PLAYING A SLOT MACHINE ("RE-SPIN & RE-PAY")

10

RENEWED PETITION

Certificate

Honorable Commissioner for Patents

SEP 17 2007

Alexandria, VA 22313

of Correction

15 Sir or Madam:

In response to the Decision Dismissing Petitions Under 37 CFR 1.78(a)(3) and (a) (6), dated March 19, 2007, Applicants for the present application respectfully submit this renewed petition along with Supplemental Application Data Sheet.

20 Applicants submit the Supplemental Application Data Sheet to claim priority to US Non-Provisional Application No. 10/438,325 and US Provisional Application No. 60/380,325, which applications were not previously claimed. Applicant also includes the previous claim for priority to US Provisional Application No. 60/412,012.

Applicants state that the entire delay between the date the claim was due under 37 CFR § 1.78(a)(2)(ii) and 1.78(a)(5)(ii) and the date the claim was filed was unintentional.

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SEP 17 2007

If there is any matter that would delay the acceptance of this renewed petition, please contact the undersigned at your earliest convenience.

Respectfully submitted,


Daniel M. Marks

Date: 09/10/07
ORIGINAL FILED 03/29/07 

HIGH 5 GAMES

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Supplemental Application Data Sheet

[CHANGES TO ORIGINAL APPLICATION DATA SHEET ARE INDICATED WITH UNDERLINED TEXT.]

Attorney Docket Number: 110293.134 US1
Filing Date: 09/22/03
Application Number: 10/666,560
Title of Invention: METHOD OF PLAYING A SLOT MACHINE
(“RE-SPIN & RE-PAY”)

Applicant Information

Applicant 1

Applicant Authority: INVENTOR
Given Name: DANIEL
Middle Name: MORDECAI
Family Name: MARKS

Residency Address of Applicant:

City: COLD SPRING

State/Province: NY

Country of Residence: USA

Citizenship under 37 CFR 1.41(b): USA

Mailing Address of Applicant:

Address 1: 1200 MACARTHUR BLVD

Address 2: SUITE 240

City: MAHWAH

State/Province: NJ

Postal Code: 07430

Country: USA

SEP 17 2007

Supplemental Application Data Sheet:
Method Of Playing A Slot Machine (“Re-Spin & Re-Pay”) -- Us Application No. 10/666,650

Applicant 2

Applicant Authority: INVENTOR

Given Name: ANTHONY

Middle Name: MARK

Family Name: SINGER

Residency Address of Applicant:

City: RAMSEY

State/Province: NJ

Country of Residence: USA

Citizenship under 37 CFR 1.41(b): USA

Mailing Address of Applicant:

Address 1: 1200 MACARTHUR BLVD

Address 2: SUITE 240

City: MAHWAH

State/Province: NJ

Postal Code: 07430

Country: USA

Applicant 3

Applicant Authority: INVENTOR

Given Name: HOWARD

Middle Name: MITCHELL

Family Name: MARKS

Residency Address of Applicant:

City: SCARSDALE

State/Province: NY

Country of Residence: USA

Citizenship under 37 CFR 1.41(b): USA

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Supplemental Application Data Sheet:

Method Of Playing A Slot Machine ("Re-Spin & Re-Pay") -- Us Application No. 10/666,650

Mailing Address of Applicant:

Address 1: 1200 MACARTHUR BLVD

Address 2: SUITE 240

City: MAHWAH

State/Province: NJ

Postal Code: 07430

Country: USA

Correspondence Information

Customer Number: 000061302

Email Address: DMARKS@H5G.COM

Application Information

Title of the Invention: METHOD OF PLAYING A SLOT MACHINE
(“RE-SPIN & RE-PAY”)

Attorney Docket Number: 110293.134 US1

Small Entity Status Claimed: NO

Application Type: NON-PROVISIONAL

Subject Matter: UTILITY

Suggested Class (if any):

Sub Class (if any):

Suggested Technology Center (if any):

Total Number of Drawing Sheets (if any):

Suggested Figure for Publication (if any):

SEP 17 2007

Representative Information

Customer Number: 61302

Domestic Priority Information

Application Number: THIS APPLICATION

Continuity Type: CONTINUATION-IN-PART

Prior Application Number: 10/438,325

Filing Date (YYYY-MM-DD): MAY 15, 2003

Application Number: 10/438,325

Continuity Type: NON-PROVISIONAL OF

Prior Application Number: 60/380,485

Filing Date (YYYY-MM-DD): MAY 15, 2002

Application Number: THIS APPLICATION

Continuity Type: NON-PROVISIONAL OF

Prior Application Number: 60/412,012

Filing Date (YYYY-MM-DD): SEPTEMBER 20, 2002

Assignee Information

Organization Name: PTT LLC DBA HIGH 5 GAMES

Address 1: 1200 MACARTHUR BLVD

Address 2: SUITE 240

City: MAHWAH

State/Province: NJ

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Supplemental Application Data Sheet:

Method Of Playing A Slot Machine ("Re-Spin & Re-Pay") -- Us Application No. 10/666,650

Country: USA
Postal Code: 07430
Phone Number: 201 825 1711
Fax Number: 201 825 1611
Email Address: DMARKS@H5G.COM

Signature::

Signature:

Date (YYYY-MM-DD):

First Name:

Last Name:

Registration Number:


MARCH 28, 2007

09/16/07

DANIEL

MARKS

N/A

SEP 17 2007

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

Page 1 of 1

PATENT NO. : 7,252,589
APPLICATION NO.: 10/666,560
ISSUE DATE : August 7, 2007
INVENTOR(S) : Daniel M. Marks et al

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

PLEASE AMEND THE ABOVE MENTIONED PATENT TO SHOW THE CLAIMS FOR PRIORITY TO NON-PROVISIONAL AND PROVISIONAL APPLICATIONS DESCRIBED IN THE RENEWED PETITION AND SUPPLEMENTAL APPLICATION DATA SHEET FILED ON MARCH 29, 2007, AS SHOWN BELOW:

Domestic Priority Information

Application Number: THIS APPLICATION
Continuity Type: CONTINUATION-IN-PART
Prior Application Number: 10/438,325
Filing Date (YYYY-MM-DD): MAY 15, 2003

Application Number: 10/438,325
Continuity Type: NON-PROVISIONAL OF
Prior Application Number: 60/380,485
Filing Date (YYYY-MM-DD): MAY 15, 2002

Application Number: THIS APPLICATION
Continuity Type: NON-PROVISIONAL OF
Prior Application Number: 60/412,012
Filing Date (YYYY-MM-DD): SEPTEMBER 20, 2002

THE RENEWED PETITION AND SUPPLEMENTAL DATA SHEET ARE ATTACHED TO THIS REQUEST FOR CERTIFICATE CORRECTION. IN ADDITION, PLEASE FIND ATTACHED THE CREDIT CARD PAYMENT FORM FOR THE REQUIRED \$100 CHANGE FEE.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

DANIEL MARKS, HIGH 5 GAMES, 1200 MACARTHUR BLVD, MAHWAH, NJ 07430

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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Alexandria, VA 22313-1450
www.uspto.gov

PTT LLC (D/B/A/ HIGH 5 GAMES)
1200 MacARTHUR BOULEVARD
MAHWAH, NJ 07430

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SEP 05 2007

OFFICE OF PETITIONS

In re Application of
Daniel M. Marks et al
Application No. 10/666,560
Filed: September 22, 2003
Attorney Docket No. 110293.134 US1

DECISION DISMISSING PETITIONS
UNDER 37 CFR 1.78(a)(3) AND (a)(6)

This is a decision on the renewed petition under 37 CFR §§ 1.78(a)(3) and 1.78(a)(6), filed March 29, 2007, to accept an unintentionally delayed claim under 35 U.S.C. §§ 120 and 119(e) for the benefit of priority to the prior-filed nonprovisional and provisional applications noted in the accompanying Supplemental Application Data Sheet.¹

The petition is **DISMISSED**

A petition for acceptance of a claim for late priority under 37 CFR §§ 1.78(a)(3) and 1.78(a)(6) is only applicable to those applications filed on or after November 29, 2000 and after the expiration of the period specified in 37 CFR §§ 1.78(a)(2)(ii) and 1.78(a)(5)(ii). In addition, the petition under 37 CFR §§ 1.78(a)(3) and 1.78(a)(6) must be accompanied by:

- (1) the reference required by 35 U.S.C. §§ 120 and 119(e) and 37 CFR §§ 1.78(a)(2)(i) and 1.78(a)(iii) and 1.78(a)(5)(i) and 1.78(a)(5)(iii) of the prior-filed application, unless previously submitted;
- (2) the surcharge set forth in § 1.17(t); and
- (3) a statement that the entire delay between the date the claim was due under 37 CFR §§ 1.78(a)(2)(ii) and 1.78(a)(5)(ii) and the date the claim was filed was unintentional. The Director may require additional information where there is a question whether the delay was unintentional.

The petition complies with the above requirements, which requirements were met prior to issuance of this application into a patent. However, in view of the issuance of this application into Patent No. 7,252,589 on August 7, 2007, and as the claim for priority to the nonprovisional and provisional applications did not appear on the patent as issued, a Certificate of Correction (and \$100 fee) is required before the petition can be granted. The form for the Certificate of Correction may be found under Forms on the USPTO Website.

¹ The existence of this renewed petition was only recently discovered. As this petition was miscoded, this petition did not come to the attention of the undersigned until recently.

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A renewed petition under 37 CFR 1.78(a)(3) and 37 CFR 1.78(a)(6), along with request for a certificate of correction and fee of \$100, must be submitted before the petition can be granted.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITIONS
 Commissioner for Patents
 Post Office Box 1450
 Alexandria, VA 22313-1450

By hand: Customer Service Window
 Mail Stop Petitions
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

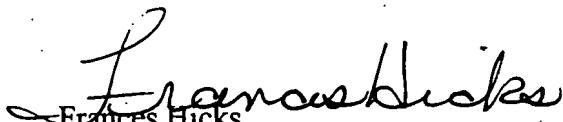
By fax: (571) 273-8300
 ATTN: Office of Petitions

The centralized facsimile number is (571) 273-8300.

Correspondence regarding this decision may also be filed through the electronic filing system of the USPTO.

To expedite consideration, petitioner may wish to contact the undersigned regarding the filing of the renewed petition.

Any questions concerning this matter may be directed to the undersigned at (571) 272-3218.


Frances Hicks
Petitions Examiner
Office of Petitions

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